

### **REMARKS**

Reconsideration and withdrawal of the rejections of this application are respectfully requested in view of the amendments and remarks herewith.

#### **I. Status**

Claims 1-8 have been cancelled. Claims 9-13 are original claims.

#### **II. Claims 1-8 rejected under 35 USC 112**

Claims 1-8 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner states that the term "substituted" renders the claims in which it appears indefinite in all occurrences wherein applicants fail to articulate by chemical name the particular moieties regarded as those which will facilitate substitution, requisite to identifying the composition of matter claimed.

Applicants respectfully submit that the cancellation of claims 1-8 has rendered the rejection moot.

#### **III. Claims 4-13 rejected under 35 USC 112**

Claims 4 and 13 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that the symbols "NIT-101, NIT-102 and NIT-103 are vague and indefinite because the meaning of each symbol is unspecified.

Applicants respectfully submit that claim 4 has been cancelled rendering the reject moot for that claim. With regard to claim 13, applicant respectfully draw the Examiner's attention to the Summary of the Invention, eighth and ninth full paragraphs, wherein the text reads:

"In another embodiment of the present invention, the enzyme catalyst is a partially purified enzyme. Examples of partially purified enzymes include, but are not limited to NIT-101, NIT-102, NIT-103 (BioCatalytics Inc., Pasadena, CA), and nitrilase from *Arabidopsis thaliana* (Jülich Fine Chemicals, Jülich, Germany).

In a preferred embodiment of the present invention the nitrilase enzyme catalyst is immobilized on a support. Examples of immobilized nitrilase enzyme catalysts include but are not limited to NIT-102 C2

(BioCatalytics Inc., Pasadena, CA), NIT-102 immobilized on Eupergit (Röhm GmbH & Co. KG, Darmstadt, Germany), and nitrilase from *Arabidopsis thaliana* immobilized on Eupergit. In a preferred embodiment the immobilized nitrilase enzyme catalyst is NIT-102 C2."

Based upon the foregoing applicants respectfully request that the rejection to claim 13 be kindly removed,

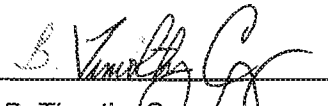
**IV. Conclusion**

Applicants acknowledge that Claims 9-12 are allowable.

Having addressed all outstanding issues, Applicants kindly request removal of all rejections and allowance of pending claims 9-13 at this time. To the extent the Examiner believes that it would facilitate allowance of this case, the Examiner is urged to call the undersigned attorney at the number below

Date: 10/19/09

Respectfully submitted,

  
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